## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

**CIVIL NO. 1:05CV323** 

RACHEL M. LOGEL, By her Guardian Ad Litem, ELIZABETH R. LOGEL,	) ) )	
Plaintiff,	)	
v. JO ANNE B. BARNHART, Commissioner of Social Security,	) ) ) ) )	<u>J U D G M E N T</u>
Defendant.	) ) )	

For the reasons set forth in the Memorandum and Order filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff's motion for summary judgment is **DENIED**; the Defendant's motion for summary judgment is **ALLOWED**; the Commissioner's decision denying Social Security benefits to the Plaintiff is **AFFIRMED**; and this matter is hereby **DISMISSED WITH PREJUDICE** in its entirety.

Signed: June 16, 2006

Lacy H. Thornburg United States District Judge